

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

MEDICAL MUTUAL OF OHIO,	)	Case No. 1:23-cv-00409
	)	
Plaintiff,	)	Judge J. Philip Calabrese
	)	
v.	)	Magistrate Judge
	)	Jennifer Dowdell Armstrong
ROBERT SUNYAK,	)	
	)	
Defendant.	)	
	)	
	)	

**ORDER**

On March 1, 2023, Plaintiff Medical Mutual of Ohio filed a Verified Complaint (ECF No. 1) and motion for a Temporary Restraining Order or Preliminary Injunction (ECF No. 3) against its former employee, Defendant Robert Sunyak. Plaintiff alleges Mr. Sunyak “collected, downloaded, and externally shared numerous company files, data, and intellectual property for personal use, including multiple meeting records, e-mail archival data, and internal product and process documentation,” (ECF No. 1, ¶ 23, PageID #6), which “is extremely sensitive and contained company proprietary information” and could expose Medical Mutual to a data breach (*id.*, ¶ 26, PageID #6–7.)

Plaintiff asserts claims under the Federal Uniform Trade Secrets Act (Count I) and the Ohio Uniform Trade Secrets Act (Count III) and claims for breach of contract (Count II) and replevin (Count IV). Plaintiff seeks a Temporary Restraining Order or Preliminary Injunction on the grounds that it is likely to succeed on the

merits of these claims, and the loss of Medical Mutual's confidential security information and vulnerability management data, among other things, could cause the company irreparable harm. (ECF No. 3.)

The Court schedules a hearing on Plaintiff's motion for Monday, March 6, 2023 at 4:30 p.m. on the record in Courtroom 16B, Carl B. Stokes United States Courthouse. Counsel for Plaintiff, Plaintiff's Vice President of IT Infrastructure and Chief Information Security Officer Mr. Dave Hangen, (ECF No. 1, PageID #15), and an individual with full authority to make binding commitments on Plaintiff's behalf must appear at the hearing. Counsel for Defendant, who has not yet entered an appearance, and Defendant must appear at the hearing.

The Court **ORDERS** Defendant, under penalty of contempt, not to use, transfer, or disclose the allegedly proprietary and confidential information Plaintiff identifies in Exhibit D to the complaint, or access Plaintiff's IT security system, between the date of this Order and the hearing. The Court directs Plaintiff to serve this Order on Defendant, to deliver a copy of this order to Defendant by email, and to make every effort to ensure service and Defendant's appearance at the hearing.

**SO ORDERED.**

Dated: March 2, 2023

A handwritten signature in black ink, appearing to read 'J. Calabrese', is written over a horizontal line.

J. Philip Calabrese  
United States District Judge  
Northern District of Ohio